

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SEAN FREEMAN,

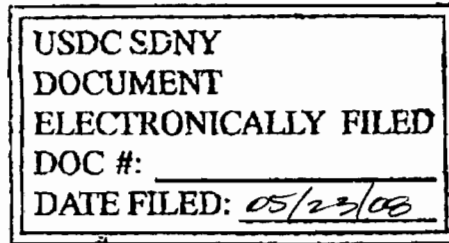
Plaintiff,

-against-

WARDEN SHAW, ET AL.,

Defendants.  
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KEVIN NATHANIEL FOX  
UNITED STATES MAGISTRATE JUDGE



ORDER  
07 Civ. 8459 (SHS)(KNF)

A review of the court records of this action indicates that an amended complaint was filed on October 1, 2007, and that no proof of service of the summons and complaint has been filed with respect to the following defendants identified in the plaintiff's complaint: (i) Warden Shaw; (ii) Captain Hawes and (iii) Corrections Officer Kinloch. Rule 4(m) of the Federal Rules of Civil Procedure provides, in pertinent part, that:

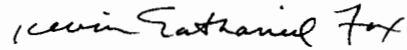
If a defendant is not served within 120 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

The plaintiff is directed to serve the summons and amended complaint on the defendants, and to file proof of that service with the Clerk of Court on or before June 28, 2008. If the defendants are not served with the summons and complaint on or before that date, and if the plaintiff fails to show cause, in writing, why service has not been effected, a report and recommendation will be made to the assigned United States district judge that the complaint be dismissed as to those defendants identified above, for failure to prosecute, pursuant to Rules 4 and 41 of the Federal Rules of Civil Procedure.

The plaintiff is directed to contact the Pro Se Office for this judicial district at 500 Pearl Street, Room 230, New York, New York 10007, telephone number (212) 805-0177, for any procedural assistance that may be required.

Dated: New York, New York  
May 22, 2008

SO ORDERED:



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KEVIN NATHANIEL FOX  
UNITED STATES MAGISTRATE JUDGE

Copy mailed to:

Mr. Sean Freeman